

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt.B.Gowramma, CDPO, ICDS Project, Raydurg, Ananthapur District and retired now – Trapped by ACB on 13-03-2009 – Retired from service on 31-10-2010 on attaining the age of superannuation – Non – submission of Annual Property Returns for the period from 1998 to 2005 and kept an amount of Rs.6,00,000 and Rs.8,25,835/- in the almirah of her bed room meant for payment of arrears of salary and T.A bills respectively - Disciplinary proceedings initiated under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 – Charges proved – Imposing of punishment of 50% cut in admissible pension on permanent basis under Rule – 9 of A.P.Revised Pension Rules, 1980, subject to outcome of Criminal Appeal No.1112/2012 filed by the ACB in the High Court of A.P. on the acquittal judgment dated 16-07-2012 in C.C.No.11 of 2010 of the 1st Addl. Spl. Judge for SPE and ACB Cases, City Civil Courts, Hyderabad – Orders – Issued.

DEPT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS [ESTT. – A3]

G.O.RT.No. 317

Dated 27th December, 2014
Read the following:-

01. From the D.G., A.C.B., A.P., Hyderabad, Lr.C.No.60/RCT-ATP/2009-S14, dated 12-08-2009.
02. G.O.Ms.No.34, WD, CW & DW (Estt.) Dept. dated 19-12-2009.
03. Charge Memo.Rc.No.1591/Vig.2/2009, dated 23-01-2010 issued by the Commissioner, W.D & C.W., A.P., Hyderabad.
04. From the D.G., ACB., A.P., Hyderabad, Lr.C.No.60/RCT-ATP/2009-S-14, dated 14-02-2010.
05. Written Statement of Defense dated 03-09-2010 submitted by the C.O.
06. Commissioner, W.D & C.W., A.P., Hyderabad, Proceedings No.1591/Vig.2/2009, dated 27-08-2010.
07. R.D.D., W.D & C.W., Kurnool, Lr.No.1025/A2/2010, dated 29-10-2010.
08. From the Commissioner, W.D & C.W., A.P., Hyderabad, Lr.No.1591/Vig.2/2009, dated 06-11-2010.
09. Government Memo.No.1247/Estt.A2/2009-11, dated 30-04-2011.
10. Written statement of defense dated 17-06-2011 submitted by the C.O.
11. Government Memo. No.1247/Estt.A2/2009-15, dated 08-10-2012.
12. Government Letter No.1247/Estt.A3/2009-17, dated 06-01-2014.
13. From the Secretary, A.P.P.S.C., Hyderabad, LrNo.558/RT/2/2014, dated 26-04-2014.
14. Government Letter No.1247/Estt.A3/2009-18, dated 28-08-2014.
15. From Secretary I/c, A.P.P.S.C., Lr.No.558/RT/2/2014, dt.12-09-2014.

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ORDER:-

Whereas in pursuance of the recommendations made by the Director – General, A.C.B., A.P., Hyderabad, vide reference 1st read above, Government vide G.O. 2nd read above, have sanctioned prosecution orders, under Prevention of Corruption Act, 1988 in respect of Smt.B.Gowramma, former CDPO, ICDS Project, Rayadurg, Ananthapur District and retired now, who was trapped by the ACB on 13-03-2009 for acceptance of illegal gratification from the Complainant for forwarding the application of Girl Child Protection Scheme to the higher authorities.

02. And whereas, the Commissioner, W.D & C.W., A.P., Hyderabad, vide reference 3rd read above, has initiated disciplinary proceedings under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 in respect of Smt.B.Gowaramma, former CDPO, ICDS Project, Rayadurg, Ananthapur District and framed the following article of charge and directed her to submit her written statement of defense: -

THAT Smt.B.Gowramma, W/o V.Nagaraju, aged 57 years, CDPO, ICDS, Rayadurg, Ananthapur District, joined into Government Service on 12-08-1976 as Bala Sevika, I.C.D.S., Ananthapur District, and while functioning as C.D.P.O., Rayadurg, Ananthapur District during the period from 16-06-2008 to 13-03-2009 committed grave misconduct in as much as she failed (1) to submit the Annual Property Returns to the competent authority for the period from 1998 to 2005 (2) to

follow the regular office procedure by keeping an amount of Rs.6,00,000 pertaining to the salary arrears and T.A of the Anganwadi Workers of ICDS Project, Rayadurg in the steel almirah in her bed room, though she was supposed to credit the salary arrears and T.A's to the respective bank accounts of the Anganwadi workers and (3) to account for the difference amount of Rs.8,25,835/- (out of Rs.14,25,835/-) pertaining to the salary arrears and T.A of the Anganwadi workers of ICDS Project, Rayadurg, (4) to make the necessary entry in the Register of New Girl Child Protection Scheme of the ICDS Project, Rayadurg about the receipt of the GCPS application by her directly from the complainant on 20-02-2009 and (5) to sign the Attendance Register of the O/o CDPO, Rayadurg on any day in the month of March, 2009 i.e. till the day of trap on 13-03-2009 and thus she failed to maintain absolute integrity in violation of APCS (Conduct) Rules, 1964.

Thus, Smt.B.Gowramma, Project Officer, ICDS, Rayadurg, Ananthapur District, by her above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1), 3(2) & 9 (7) of A.P.C.S (Conduct) Rules, 1964.

03. And whereas, the D.G., ACB., vide his Lr. 4th read above, have informed the Government that they have filed Charge Sheet before the Court of the Additional Special Judge for SPE & ACB Cases, Hyderabad on 30-01-2010 against the Charged Officer.

04. And whereas the Charged Officer has submitted her written statement of defense vide reference 5th read above, denying the charge framed against her and requested to drop all further action in this regard.

05. And whereas, the Director, W.D & C.W., has therefore, appointed the Enquiry Officer to inquire into the charge framed against the Charged Officer vide reference 6th read above.

06. And whereas, the Enquiry Officer, has submitted her enquiry report vide reference 7th read above, concluding that all the charges framed against the C.O are held proved. While being so, the Charged Officer, has retired from service on 31-10-2010, on attaining the age of superannuation. Therefore, the Commissioner, W.D & C.W., vide Letter 8th read above, had referred the matter to Government, for taking further action in the matter, under Rule - 9 of A.P.Revised Pension Rules, 1980.

07. And whereas, after careful examination of the matter, taking into consideration the gravity of the charges, which are held proved, with reference to the Inquiry Report, Government have provisionally decided to impose a penalty of withholding pension in full against the Charged Officer under Rule-9 of the A.P.Revised Pension Rules, 1980.

08. And whereas, the Government vide reference 9th read above have issued a notice to the Charged Officer, to show cause as to why the said punishment shall not be imposed on her within a period of fifteen days for taking further action in the matter, failing which further action will be taken on the basis of the records available.

09. And whereas, the Charged Officer in her further explanation dated 17-06-2011 vide reference 10th read above, has mentioned that certain due procedures were not followed by the E.O, while conducting the enquiry and denied all the charges and also stated that withholding of pension in full is indeed too harsh and excessive and unjustified in the particular and peculiar circumstances of her case and requested to reject the enquiry report submitted by the E.O.

10. And whereas, the Government after examining the explanation dated 17-06-2011 submitted by the Charged Officer have further decided to impose a punishment of withholding of 50% cut in pension against the Charged Officer, subject to outcome of Criminal Appeal No.1112/2012 filed by the ACB in the High Court of A.P on the acquittal judgment dated 16-07-2012 in C.C.No.11 of 2010 of the 1st Addl. Spl. Judge for SPE and ACB Cases, City Civil Courts, Hyderabad, as the charge is held proved as per the enquiry report of the Enquiry Officer.

11. And whereas, the Government vide Memo.11th read above, have accorded permission to the Standing Counsel of the Bureau to file an appeal in the Hon'ble H.C of A.P on the acquittal judgment dated 16-07-2012 passed by the 1st addl. Spl. Judge for SPE and ACB Cases, City Civil Courts, Hyderabad, in C.C.No.11 of 2010

12. And whereas, the Government vide Lr.12th read above, have forwarded a proposal to the Secretary, A.P.P.S.C to obtain and communicate the concurrence of the 'Commission' on the decision taken by the Government as in Para – 10 above so as to conclude the disciplinary proceedings, pending against the Charged Officer.

13. And whereas, the Secretary, A.P.P.S.C., vide its letter 13th read above, have informed the Government that it is noticed that the punishment period i.e. whether the proposed punishment is on permanent basis or for a particular period is not mentioned and therefore, requested the Government to arrange to furnish the above information forthwith.

14. And whereas the Government have further examined the matter and further decided to impose a 50% cut in pension permanently under Rule – 9 of A.P.Revised Pension Rules, 1980 subject to outcome of Criminal Appeal No.1112/2012 filed by the ACB in the High Court of A.P. on the acquittal judgment dated 16-07-2012 in C.C.No.11 of 2010 of the 1st Addl. Spl. Judge for SPE and ACB Cases, City Civil Courts, Hyderabad.

15. And whereas the Secretary, A.P.P.S.C., vide its Letter 15th read above, has informed the Government that the 'Commission' has agreed with the proposal of the Government to impose the punishment of withholding of 50% of pension on permanent basis against the Charged Officer and advise, accordingly.

16. Now, the Government after careful consideration of the matter, under Rule – 9 of A.P.Revised Pension Rules, 1980, hereby impose the punishment of withholding of 50% [fifty percent] cut in admissible pension on permanent basis in respect of Smt.B.Gowramma, former CDPO, ICDS Project, Rayadurg, Ananthapur District and retired now, subject to outcome of Criminal Appeal No.1112/2012 filed by the ACB in the High Court of A.P. on the acquittal judgment dated 16-07-2012 in C.C.No.11 of 2010 of the 1st Addl. Spl. Judge for SPE and ACB Cases, City Civil Courts, Hyderabad.

17. This order issues with the concurrence of A.P.P.S.C vide their Letter 15th read above.

18. The Commissioner (I/c), W.D & C.W., A.P., Hyderabad, is requested to take necessary further action in the matter, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

NILAM SAWHNEY,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Smt.B.Gowramma, former CDPO, ICDS Project, Rayadurg, Ananthapur District and retired now, through the Commissioner (I/c), W.D & C.W., A.P., Hyderabad.

The Commissioner (I/c), W.D & C.W., A.P., Hyderabad.

The Accountant – General, A.P., Hyderabad.

The Director of Treasuries and Accounts, A.P., Hyderabad.

Copy to: -

The R.D.D., W.D & C.W., Kurnool.

SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER